



64660 U.S.PTO



10/14/04

PATENT
File No. SA9-98-116

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313, on:

October 14, 2004.

Pierre M. Vital
Attorney for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Lewis et al.)
Patent No.:	6,718,445)
Serial No.:	09/280,796) Art Unit) #2188
Filed:	March 26, 1999)
For:	SYSTEM AND METHOD FOR PERFORMING DYNAMIC MANAGEMENT IN AN HFS (HIERARCHICAL FILE SYSTEM DF/SMS))
Examiner:	Pierre M. Vital)

REQUEST FOR REEXAMINATION

Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to a review of the file for the issued patent, Applicants have discovered certain references that were submitted but do not appear to have been considered by the Examiner in issuing an allowance of Claims 1-19. Applicants' submit that "a substantial new question of patentability" arises based on the unconsidered references. However, Applicants' submit that the claims distinguish over these unconsidered references and the references currently of record. A previous request filed September 17, 2004 was denied. Sale Ref: 08200003 DA# 698466 98087134
Applicants are submitting this request under 35 U.S.C §302 and 37 CFR 1.510 with the requisite fee under 37 CFR §1.20(c)(1) in response to the denied request.

81 FC:1812 2520.00 DA